

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 17th day of September, 2007 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor
Jay Attaway, Mayor Pro Tempore
Vickie Abrego, Council Member
Karen Mayer, Council Member
Frank Hametner, Council Member

ABSENT:

ADMINISTRATIVE PERSONNEL PRESENT: Tom Ginter, City Manager
Allen Lawrence, City Attorney
Ada Owens, City Secretary

ADMINISTRATIVE PERSONNEL ABSENT:

STAFF PRESENT: Sandy Roddel, Finance Director
Don Brummett, Acting Public Works Director
Darrell Jones, Police Chief
Frank Truitt, City Inspector

OTHERS PRESENT: Jeannie Brummett, Jim & Alpha Covington, Harlow Landphair, Rosemary Vega, Ann P. Melton, Patty Gilden, Rosemary Upton, Arnold Govella, Rigard Gonzales, Lou McCleese, James Snodgrass, Mary Ann Tiemann, James Burke, Ryan Cunningham (Southwest Securities), Margaret Garrett, Belinda Ritz, Tomas Hargrave

ITEM 1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 p.m. on September 17, 2007.

ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Council Member Abrego gave the invocation. Mayor Knight led the pledge of allegiance to the United States flag.

ITEM 3. CONSENT AGENDA: *“All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.”*

- A. Approval of Minutes of September 4, 2007.
- B. Consider and Act on the Resignation of Virginia Bufkin from the Planning and Zoning Commission.
- C. Consider and Act on appointments to the Mayor’s Advisory Committee.

Council Member Mayer requested Item 3C be considered separately.

After discussion concerning residency requirements and unconfirmed applicants, Council Member Hametner made the motion to approve Items 3A and 3B and to table Item 3C until the next regular Council meeting. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 4. CONSIDER AND ACT ON APPROVAL OF RESOLUTION 2007-591 BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AND PROVIDING AN EFFECTIVE DATE.

The City Manager stated this item was in regard to financing the Aransas Pass Municipal Development District’s (APMDD) project, the Civic Center.

Mr. Ryan Cunningham with Southwest Securities stated he and Mr. Mark McLiney, also with Southwest Securities, had gone before the APMDD Board to discuss two financing options for the Civic Center (\$4M) which were the sale of Sales Tax Revenue Bonds and Certificates of Obligation. He stated Sales Tax Revenue Bonds would be paid back by the APMDD directly from sales tax revenue. He stated the second option was the issue Certificates of Obligation (CO's) through the City and the APMDD would sign an interlocal agreement with the City for payment of the CO's. He stated the CO's would be sold with the City's credit and the Revenue Bonds would be sold with the APMDD's credit. He stated the APMDD decided, at their meeting, to issue CO's through the City and pay the City back with their sales tax revenue. He stated the advantage to using the City's credit was interest rates would be lower.

Mr. Cunningham explained the projected payback schedule from the APMDD to the City for the CO's and the APMDD's ability to pay for the CO's from their sales tax revenues. He stated there would be a 20 year pay-out on the CO's.

After discussion, Council Member Hametner made the motion to approve Resolution 2007-591 by the City Council of the City of Aransas Pass, Texas authorizing and approving publication of Notice of Intention to Issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date. Council Member Mayer seconded the motion and the motion carried unanimously.

ITEM 5. **CONSIDER AND ACT ON APPROVING COMMUNITY PARTICIPATION PROCESS PERTAINING TO CONN BROWN HARBOR, IN PARTNERSHIP WITH THE LAND DESIGN AND THE ENVIRONMENT CLASS FROM TEXAS A&M UNIVERSITY.**

Mr. Harlow Landphair, Professor at Texas A&M College Station and resident of Aransas Pass, stated his college students were working on a vision for Conn Brown Harbor. He stated he thought it was important to plan ahead and have a vision for what you (the City) planned to do (in Conn Brown Harbor). He stated Conn Brown Harbor was a unique resource and the community needed to have a very strong vision for what the community wants, not what some developer wants.

Mr. Landphair stated the class starts by developing a vision, a mission statement in terms of what would be done (in the Harbor), and then seeks public input which was the most important part of the process. He stated from that his class of college students would develop a written vision and drawings of the vision for what could actually happen (in the Harbor). He stated he and the class would then develop the concepts and create imagery for what the Harbor could be like. He stated the students had already been at work during their first three weeks at school and the class had looked broadly at the regional market in terms of how our (area) market looks, what was happening to property values (in the City area), and at the environmental in terms of soil, habitat and water. He stated his students' preliminary vision for the Harbor was to be productive, providing assets for the local economy, to retain the cultural distinctiveness, to be diverse ecologically and provide the safe and natural sportsman experience and, finally, to preserve the attractiveness of the natural coast, not only to visitors but to investors and the local population. He stated the students had already started developing a sense of what the local community was like.

Mr. Landphair stated the primary vision statement his students had developed was: to encourage and manage growth by creating attractions and recreational activities for tourists, eco-tourists, sportsmen, residents, and investors that will add to the community foundation of the City of Aransas Pass. He stated that he and the students proposed to do a charette, which was a public input process to a document of the public's ideas, develop broad visions for the future, help better understand and utilize the natural resources of the area, work on improving the visual quality, and promote civic pride and connections between districts.

Mr. Landphair stated he was asking for housing for 36 students for three days during their stay and publicity for the public input from the City. He stated the students would arrive Thursday evening (October 18) and leave on Sunday (October 21) with the charette being Saturday (October 20).

After discussion, Council Member Hametner made the motion to approve Community Participation Process pertaining to Conn Brown Harbor, in partnership with the Land Design and the Environment class from Texas A&M University. Council Member Abrego seconded the motion and the motion carried unanimously.

ITEM 6. **CONSIDER AND ACT ON REQUEST FROM THE ARANSAS PASS CHAMBER OF COMMERCE TO USE CITY PROPERTY IN CONN BROWN HARBOR FOR "HOLIDAY ON THE HARBOR."**

Ms. Rosemary Vega and Mr. Arnold Govella explained the Chamber of Commerce's plan for a Christmas festival in Conn Brown Harbor Park in the first week of December (2007). Mr. Govella stated there would be free entry, a sanctioned chili and gumbo

cookoff, a carnival, live music, a Christmas tree forest and a boat parade. He requested that the Council approve the sale of alcohol with the profits going to the Chamber of Commerce. He stated details would be worked out with the Police Department.

Council Member Hametner made the motion to approve the request from the Aransas Pass Chamber of Commerce to use City property in Conn Brown Harbor for "Holiday on the Harbor" and the sale of alcohol by the Chamber of Commerce. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 7. **CONSIDER AND ACT ON REQUEST OF RICHARD GONZALES ON BEHALF OF THE A.C. BLUNT SCIENCE AND SPANISH CLUB FOR FREE ENTRY INTO THE AQUATICS CENTER TO SWIM FROM 2:00 P.M. TO 3:30 P.M. AFTER THE CLUB'S ANNUAL REDFISH BAY ADOPT-A-BEACH CLEANUP ON SEPTEMBER 22, 2007.**

Mr. Gonzales outlined the Clubs' plan for the annual Redfish Bay cleanup, after which he requested free entry in the City's pool for the participants.

Mayor Pro Tempore Attaway made the motion to approve the request of Richard Gonzales on behalf of the A.C. Blunt Science and Spanish Club for free entry into the Aquatics Center to swim from 2:00 p.m. to 3:30 p.m. after the Club's Annual Redfish Bay Adopt-A-Beach cleanup on September 22, 2007. Council Member Hametner seconded the motion and the motion carried unanimously.

ITEM 8. **CONSIDER AND ACT ON REQUEST OF JAMES BURKE FOR A BURN PERMIT TO BURN BRUSH AND TREES ON NORTH HALF OF TRACT 15, LANDBLOCK 212, BURTON & DANFORTH, 1121 S. HIGHWAY 35 (BYPASS).**

Mr. James Burke stated he was clearing the property and was going to build his business on the property. He stated he had the brush pushed into piles and needed to burn it to prepare the site for buildings.

Council Member Hametner asked Mr. Burke why couldn't he chip (mulch) the brush?

Mr. Burke stated the mulch would rot under the earth and he planned to pour concrete on the site.

City Attorney Allen Lawrence stated the City had an ordinance prohibiting burning in the City limits but Council had granted variances in the past. He stated the Council had the Fire Chief meet with the land owner to work out guidelines for the burn, and then come back to Council for approval.

Fire Chief Gilbert Ritz stated the Council had denied the last request to burn. He stated Mr. Burke had been burning without a permit and was issued a violation notice on September 11, 2007. He stated, in the past, to burn with a variance the property owner had to pay for a firefighter, a driver and a fire truck during the burn. He stated he had complaints about the smoke from Mr. Burke's burning from Gas Light Village.

Council Member Hametner asked Mr. Burke could he cut the wood up and sell it for firewood?

Mr. Burke stated the brush was bull dozed and compacted into piles. He stated he would burn the piles (5) one at a time on good days (wind direction) and the property was wet with water standing. He stated his business was building and selling swimming pools, outdoor spas and outdoor kitchens and there would be storage facilities for rent.

After discussion, Council Member Hametner made the motion to approve the request of James Burke for a burn permit to burn brush and trees on North half of Tract 15, Landblock 212, Burton & Danforth, 1121 S. Highway 35 subject to conditions of no burning during north or west wind, receipt of the TCEQ permit, all State burn rules observed and fire truck with driver and firefighter on site. Mayor Pro Tempore seconded the motion and the motion carried unanimously.

ITEM 9. **CONSIDER AND ACT ON AWARDED BID TO SEAL COAT MATLOCK AVE. FROM 13TH ST. TO LAMONT ST.**

After discussion, Mayor Pro Tempore Attaway made the motion to award the bid to seal coat Matlock Ave. from 13th Street to Lamont Avenue to J. Carrol Weaver Company with the bid of \$28,956.00. Council Member Hametner seconded the motion and the motion carried unanimously.

ITEM 10. **REPORTS FROM CITY MANAGER AND STAFF AND PUBLIC COMMENTS:**

At this time the Mayor, City Council, Staff and Public comments may be given. Reports or updates on any assignments which include but are not limited to grants, building and development, budgets, financial reports and any other projects may be given. No formal action can be taken on any of these items at this time. Comments will be limited to 3 minutes each.

Mayor Knight stated the City had cranes with lifting capacity of 1.6 million pounds on the harbor picking up boats . He stated, hopefully, six more boats would be removed from the harbor.

The City Manager stated there would be a map showing brush collection routes and schedule in the newspaper. Citizens should put their brush out for collection the Friday before the scheduled pick up in their area. The schedule will be effective October 1, 2007. He stated furniture, mattresses and other large items would be picked up by Allied Waste or the City.

The City Manager stated four Requests for Qualifications had been received for the construction of the Civic Center.

Police Chief Darrell Jones stated 2,261 had registered on the CodeRed site so far. He stated the CodeRed system could reach up to 60,000 phones per hour.

Ms. Margaret Garrett stated the dumpsters on Bigelow were overfilled and were not picked up by Allied Waste because the street was blocked off for the crane lifting boats out of the harbor, but the garbage trucks could have taken another route to empty the dumpsters.

Ms. Ann Melton asked when were the water lines last flushed?

The City Manager stated Ms. Melton’s water line would be flushed and a schedule would be established to flush dead end water lines regularly.

Ms. Melton again requested a traffic light be put at Beasley and Commercial.

The City Manager stated he would meet with the Acting Public Works Director about a traffic light at the intersection.

Mr. Hal Hallows thanked the City Manager for the cleanup efforts in the City and Harbor.

ITEM 11. ADJOURNMENT OF MEETING.

Mayor Pro Tempore Attaway made the motion to adjourn the meeting. Council Member Mayer seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:28 p.m.

Tommy Knight, Mayor

ATTEST:

Ada Owens, City Secretary